

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**IN RE:**

**RAMIRO FLORES JR.  
ROSALINDA BRAVO FLORES  
DEBTORS**

**CASE NO. 08-36801-H4-7  
CHAPTER 7 BANKRUPTCY**

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**RAMIRO FLORES JR.  
ROSALINDA BRAVO FLORES  
PLAINTIFFS**

**V.**

**ADV. NO. 09-03458**

**KELSEY-SEYBOLD MEDICAL GROUP,  
PLLC  
DEFENDANT**

**UNOPPOSED MOTION TO DISMISS ADVERSARY PROCEEDING WITH PREJUDICE  
(AS THE ADVERSARY PERTAINS TO A POST-PETITION POST-DISCHARGE  
VIOLATION OF THE DISCHARGE INJUNCTION WHICH HAS BEEN RESOLVED)**

**TO THE HONORABLE BANKRUPTCY JUDGE JEFF BOHM:**

Movants, ("Mr. and Mrs. Flores"), are the Plaintiffs in the above entitled and numbered adversary proceeding and for this motion would show the Bankruptcy Court as follows:

**JURIDICTION / CORE PROCEEDING**

1. The Court has jurisdiction of this matter. This represents a core proceeding.

**UNOPPOSED**

2. There has been an answer filed by Defendant, and the parties have otherwise settled this matter. All parties are agreeable, as a term of the settlement, to the dismissal of this adversary proceeding with prejudice.

### **DISCLOSURE**

3. Mr. and Mrs. Flores filed a Chapter 7 bankruptcy on October 28, 2008.

4. The bankruptcy filed by Mr. and Mrs. Flores was discharged on February 2, 2009.

5. The claims contained in the adversary proceeding involve alleged post-petition, post-discharge violations of the discharge injunction.

6. There is currently no bankruptcy estate to administer.

### **THE SETTLEMENT AGREEMENT**

7. The settlement agreement, signed by Mr. and Mrs. Flores and an authorized agent for Defendant Kelsey-Seybold Medical Group PLLC, is attached for the Court's review.

8. Defendant agrees to enter a trade line deletion of the debt or otherwise code the account of Mr. and Mrs. Flores to indicate that it is not collectable internally as well as to any credit reporting service.

9. Upon approval of this Court, the settlement funds (\$4,000.00) shall be divided as follows: Mr. and Mrs. Flores are to receive \$500.00, and Charles Newton and Associates shall receive the payment of \$3,500.00 for their attorneys' fees and costs related to this adversary proceeding.

WHEREFORE, PREMISES CONSIDERED, it is the prayer of Mr. and Mrs. Flores that the Court allow the immediate dismissal of this adversary proceeding with prejudice so that the private settlement may be consummated.

Respectfully submitted,

*/s/ Charles (Chuck) Newton*

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**CHARLES (CHUCK) NEWTON**

Texas Bar No. 14976250

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Attorney for Mr. & Mrs. Flores  
Plaintiffs/Movants

### CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Unopposed Motion to Dismiss with prejudice was served on the following parties via electronic means, if possible, otherwise by the means stated below:

Ramiro Flores Jr.  
Rosalinda Bravo Flores  
*Debtors / Plaintiffs*  
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DATED: May 17, 2010

*/s/ Charles (Chuck) Newton*

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**CHARLES (CHUCK) NEWTON**